



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/541,295

07/18/2005

Robert Riener

RIENER

6639

20151 7590 09/04/2008

HENRY M FEIEREISEN, LLC

HENRY M FEIEREISEN

708 THIRD AVENUE

SUITE 1501

NEW YORK, NY 10017

EXAMINER

EGLOFF, PETER RICHARD

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

09/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/541,295	Applicant(s) RIENER ET AL.	
	Examiner PETER R. EGLOFF	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 2 recite the limitation “a 3D body to be touched which is fastened to the adjacencies by means of at least one...”, and it is unclear as to whether applicant is attempting to claim at least one multiple-component force-torque measurement device, at least one electronic storage and evaluation system, at least one optic-visual and/or acoustic indicating device, etc., or if the limitation “at least one” applies only to the multiple-component force-torque measurement device. For this and other reasons, the claims are generally formatted in such a way that the relationships between the bulleted items in the claims are vague and unclear, which renders the claims indefinite. Claims 3 and 4 are rejected for inheriting the deficiencies of their parent claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3714

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts (US Patent No. 5,376,948).

Regarding claim 1, Roberts discloses an interactive teaching and learning device which comprises a 3D body (display screen 31, or other contoured object, including 3D surfaces - see column 6, lines 38-48 and column 18, line 51 - column 19, line 7) to be touched which is fastened to the adjacencies by means of at least one multiple-component force-torque measurement device (capacitor elements 57), an electronic storage and evaluation system (microprocessor system 80), an optic-visual indicating device (monitor), whereby the force-torque measurement device converts the forces and moments arising when the model body is touched into electrical measurement signals to be leaded to the electronic storage and evaluation unit (column 7, line 55 – column 8, line 64), while a mathematical model of the geometry of the 3D body is implemented in the electronic storage and evaluation unit (column 6, lines 1-4), and an algorithm which on the basis of the forces and torques detected when the touch is carried out calculates the contact zone at the 3D body (column 9, lines 55-67), which is communicated to the touching operator as signal by means of the optic-visual indicating device (column 1, lines 25-38).

Regarding claim 2, Roberts discloses a teaching and learning device which comprises a 3D body (display screen 31, or other contoured object, including 3D surfaces - see column 6, lines 38-48 and column 18, line 51 - column 19, line 7) to be touched which is fastened to the adjacencies by at least one multiple-component force-torque measurement device (capacitor

Art Unit: 3714

elements 57), an electronic storage and evaluation unit (microprocessor system 80), an optic-visual indicating device (monitor), whereby the force-torque measurement device converts the forces and moments arising when the model body is touched into electrical measurement signals to be leaded to the electronic storage and evaluation unit (column 7, line 55 – column 8, line 64), force-torque measurement signals of predetermined contact points are stored in the memory of the electronic storage and evaluation unit (column 6, lines 1-4), and an assignment algorithm is implemented which based on the detected forces and torques assigns the contact zone at the 3D body which is communicated to the touching operator as signal by means of the optic-visual and/or acoustic indicating device (column 9, line 55-76; column 1, lines 25-38).

Regarding claim 3, Roberts further discloses the optic-visual indicating device comprises a projector projecting visual data, such as texts or images, directly to the area touched (column 1, lines 32-38).

Regarding claim 4, Roberts further discloses the projector is a video projector (CRT or LCD display).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Okada (US Patent No. 6,915,709 B2) discloses a force detection device. Cook et al. (US Patent No. 5,400,661) discloses a multi-axis force platform. Yasutake (US Patent No. 6,597,347 B1) discloses methods and apparatus for providing touch-sensitive input in multiple degrees of freedom. Bang et al. (US 2005/0246109 A1) discloses a method and apparatus for entering information into a portable electronic device). Martin (US Patent No. 6,141,000)

Art Unit: 3714

discloses a projection display system with touch sensing on screen, computer assisted alignment correction and network conferencing.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Egloff whose telephone number is (571) 270-3548. The examiner can normally be reached on M-F 7:30am - 5:00 pm EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached at (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kathleen Mosser/
Primary Examiner, Art Unit 3714

Peter Egloff

8/25/08